



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/753,163	01/02/2001	Robert C. Eisenman	RE-1	9699

7590 04/07/2003
Michael I. Kroll
171 Stillwell Lane
Syosset, NY 11791

EXAMINER

LIEU, JULIE BICHNGOC

ART UNIT	PAPER NUMBER
----------	--------------

2632

DATE MAILED: 04/07/2003

6

Please find below and/or attached an Office communication concerning this application or proceeding.

SP

Art Unit: 2632

DETAILED ACTION

1. This Office action is in response to the applicant's response filed January 02, 03. Claims 1, 7-10, and 17 have been amended. Claims 2, 4-6, and 15-16 have been canceled. New claim 19 has been amended.
2. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claim Rejections - 35 USC § 103

3. Claims 1, 3, 9, and 12-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nantz et al (US Patent No. 5,873,412) in view of Petite et al. (US Patent No. 6,437,692) and Hoffman et al. (US Patent No. 5,742,233) and further in view of Rabanne et al. (US Patent No. 6,084,517).

Claim 1:

Nantz discloses a vehicle alarm comprising a housing and a vehicle alarm activator within the housing for activating and deactivating a vehicle alarm system. The device includes a transmitter for activating an alarm system on a vehicle, the alarm housing includes a ring removably extending from a side of the housing for carrying a key for use with the vehicle. Nantz fails to disclose a transmitting device located with the housing for transmitting a location signal to a GPS system for determination a location of the device. Nonetheless, the concept of

Art Unit: 2632

combining a remote transponder with a GPS receiver and to transmit a location signal based on information provided by the GPS system is well known in the art as taught in Petit et al. wherein a GPS device is incorporated into a remote transceiver for remotely controlling a number of devices. See fig. 3E in Petite. In light of this teaching, it would have been obvious to one skilled in the art to apply this concept in the vehicle alarm activator in Nantz because it would be desirable to user a personal alarm device and to know the location of the user of the device since knowing the user's location would provide an advantage that in the situation when the user needs to be located such as taught in Hoffman in emergency situation.

Rabanne et al., teaches a person's location (such as a parent or a child) can be determined and found and the signal in the Rabanne et al. system may be transmitted continuously (col. 5, lines 31-32.) In light of this teaching, one skilled in the art would have readily using the concept of transmitting the signal between the monitoring central and the personal transceiver continuously because it would allow tracking of the user's location at all time.

Claim 3:

The use of infrared LED in a remote controller such as a vehicle security system transponder is convention in the art. Thus, it would have been obvious to one skilled in the art to use an infrared LED in the transmitter of Nantz because it is old and well known.

Claim 9:

The use of clip releasably connected to the housing for releasable securing a person alarm device to an article of clothing of the user is conventional in the art. Thus, no patentable weight is given.

Claim 12:

It is inherent that the device in Nantz has a power source connecting to the alarm activator and transmitting device.

Claim 13:

The personal alarm device in Hoffman has a power source sensor 122 for sensing the power level of the power source.

Claim 14:

The device in Hoffman detects the low power level then transmits the signal to a remote monitoring location. Therefore, the reference suggests indicating the low battery status. A skilled artisan would have readily recognized using an illuminating device on the combined device of Nantz, Petite, and Hoffman because it would indicate to the device user that the battery needs to be replaced for the device to operate.

4. Claims 7, 8, 10, 11, 17, and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nantz et al (US Patent No. 5,873,412) in view of Petite et al. (US Patent No. 6,437,692) and Hoffman et al. (US Patent No. 5,742,233) and further in view of Rabanne et al. (US Patent No. 6,084,517) and Van der Laan et al. (US Patent No. 5,929,761).

Claim 7:

It is not clear whether the personal alarm device in Hoffman includes a speaker for generating an audible signal when the activation button is activated. However, the use of audible signal to indicate that a signal has been transmitted by the activation of a button on a transmitter is conventional in the art as taught in Van der Laan et al. (col. 3, lines 53-57).

Art Unit: 2632

Therefore, it would have been obvious to one skilled in the art to use an audible indicator in the combined system of Nantz, Petite, and Hoffman et al. for that reason.

Claim 8:

It is not clear that the personal alarm device in Nantz has a cover connected to the housing and slidable along a portion thereof for selectively covering the activation button. However, the use of a cover to protect a switch or button from being inadvertent actuated is convention in the art as shown in Van der Laan et al. In light of this teaching, one skilled in the art would have readily recognize using a protective cover to in the personal alarm device in Nantz for the same reason. Regarding the claimed cover being slidable, this only constitute a choice in design.

Claim 10:

The personal alarm device in Van der Laan et al. includes visual informing means to indicate that the activating signal has been received, so that the transmitter can terminate the transmission. In light of Van der Laan et al.'s, it would have been obvious to one skilled in the art to use a visual indicator in the combined system of Nantz, Petite, and Rabanne for the same purpose.

Claim 11:

The use of a visual indicator to indicate that the device is powered or on is very conventional in the art. Therefore, one skilled in the art would have readily recognized using a power-on indicator in this combined system because it is conventional to indicate that a device is on by providing an illuminated light.

Claims 17 and 18:

Art Unit: 2632

Van der Laan suggests both audible and visual indicators as a feedback to the user that activation of an activation button. Therefore, it would have been obvious to one skilled in the art use this concept in the combined system of Nantz, Petite, and Hoffman for the same purpose.

5. Claim 19 is rejected under 35 U.S.C. 103(a) as being unpatentable over Nantz et al (US Patent No. 5,873,412) in view of Petite et al. (US Patent No. 6,437,692) and Hoffman et al. (US Patent No. 5,742,233).

Claim 19:

Nantz discloses a vehicle alarm comprising a housing and a vehicle alarm activator within the housing for activating and deactivating a vehicle alarm system. The device includes a transmitter for activating an alarm system on a vehicle, the alarm housing includes a ring removably extending from a side of the housing for carrying a key for use with the vehicle. Nantz fails to disclose a transmitting device located with the housing for transmitting a location signal to a GPS system for determination a location of the device. Nonetheless, the concept of combining a remote transponder with a GPS receiver and to transmit a location signal based on information provided by the GPS system is well known in the art as taught in Petit et al. wherein a GPS device is incorporated into a remote transceiver for remotely controlling a number of devices. See fig. 3E in Petite. In light of this teaching, it would have been obvious to one skilled in the art to apply this concept in the vehicle alarm activator in Nantz because it would be desirable to user a personal alarm device and to know the location of the user of the device since knowing the user's location would provide an advantage that in the situation when the user needs to be located such as taught in Hoffman in emergency situation.

Applicant's Remarks

6.

Argument 1:

“In the present invention, the remote or portable locator is continuously sending out a location and identification signal to a GPS which continuously provides the location and identification information to the central station.”

Argument 2:

“The remote locator also has a remote for activating and deactivating an alarm system in a vehicle and also carries a key for vehicle. This basic system is not taught or suggested in the art of record, either alone or in any combination of references.”

Response to Applicant's Remarks

7.

Response to Argument 1:

Refer to the rejection of claim one regarding the continuous transmission of the GPS signal.

Response to Argument 2:

Art Unit: 2632

The applicant's argument is not deemed persuasive because it would have been obvious to one skilled in the art to incorporate a GPS transceiver into a personal remote transceiver/transmitter for purpose of locating the device user because it is conventional in the art as shown in Petite so that the user can be located in emergency situation as suggested in Hoffman. One skilled in the art would have readily recognized employing this same concept in a remote transmitter for activating/deactivating the security system of a vehicle in particular, such as in Nantz's, since the function of the transmitter in Nantz would not modify there be modified, nor would it change the function of the GPS transceivers.

Conclusion

8. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Julie Lieu whose telephone number is 703-308-6738. The examiner can normally be reached on Mon-Thursday, 9:00am-6:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel Wu can be reached on 703-308-6738. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9314 for regular communications and 703-872-9314 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

Application/Control Number: 09/753,163
Art Unit: 2632

Page 9

A handwritten signature in black ink, appearing to read "Julie Lieu", with a stylized, sweeping flourish extending to the right.

Julie Lieu
Primary Examiner
Art Unit 2632

jl
April 3, 2003